

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

MICHAEL AND SHELLIE GILMOR,
et al.,

Plaintiffs,

vs.

PREFERRED CREDIT CORPORATION,
et al.,

Defendants.

Case No. 4:10-cv-00189-ODS

**SETTLING DEFENDANT WILMINGTON TRUST
COMPANY'S MOTION FOR ADDITIONAL TIME
TO ALLOW FOR FILING OF MOTION FOR
PRELIMINARY APPROVAL OF SETTLEMENT**

COMES NOW Wilmington Trust Company ("Settling Defendant"), by and through counsel, and respectively requests an additional fourteen days, up to and including February 8, 2013, to finalize the settlement agreement with Plaintiffs and for Plaintiffs to file a Motion for Preliminary Approval of Class Action Settlement. In support of its Motion, Settling Defendant states:

1. Plaintiffs and Settling Defendant achieved agreement to settle the claims in this matter. The settlement agreement, if approved, will settle and resolve the claims of those class members who obtained loans for which Plaintiffs seek to hold Settling Defendant liable.
2. In light of this settlement, the Court suspended all deadlines relating to Settling Defendant and ordered that a Motion for Preliminary Approval of Settlement be filed on or before December 14, 2012. (Doc. #788.)

3. The Court previously extended the deadline for Plaintiffs' to file their Motion for Preliminary Approval of Settlement, and the current deadline for filing this motion is January 25, 2013. (Doc. #859.)

4. Plaintiffs and Settling Defendant have diligently been working to memorialize their settlement and implement the process through which the settlement can be finalized and submitted to the Court for approval. However, Plaintiffs' counsel and Settling Defendant's counsel have been involved in finalizing other large class settlements in this action and other similar litigation venued in Missouri Federal and State Courts.

5. For these reasons, Settling Defendant respectfully requests an extension of time for Plaintiffs to file their Motion for Preliminary Approval of Settlement and any associated documents to February 8, 2013.

6. Plaintiffs' counsel was consulted concerning the contents of this Motion and indicated Plaintiffs do not oppose the relief requested herein.

WHEREFORE, Settling Defendant respectfully requests an additional fourteen days, up to and including February 8, 2013 for the filing of any Motion for Preliminary Approval of Class Action Settlement regarding Defendant Wilmington Trust Company.

Dated: January 25, 2013

Respectfully submitted,

/s/ Mark A. Olthoff

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ATTORNEYS FOR WILMINGTON
TRUST COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was filed electronically with the above-captioned court, with notice of case activity to be generated and sent electronically by the Clerk of said court (with a copy to be mailed to any individuals who do not receive electronic notice from the Clerk) this 25th day of January, 2013, to all counsel of record.

/s/ Mark A. Olthoff